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THOMAS PANGBURN, PAUL FRANCISCO, RAYMOND HERR, and
CHRISTINA KAUPP

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION**

ESTATE OF RAFAEL RAMIREZ
LARA, deceased, by and through
PATRICIA RAMIREZ; PATRICIA
RAMIREZ; RAFAEL RAMIREZ; and
JENNIFER RAMIREZ,

Plaintiffs,

v.

COUNTY OF MONTEREY; SHERIFF
STEVE BERNAL, in his individual and
official capacity; JAMES BASS, in his
individual and official capacity;
JOHNATHAN THORNBURG, in his
individual and official capacity; RAY
TONGOL, in his individual and official
capacity; J. TEJEDA, in his individual and
official capacity; WELLPATH; KIP
HALLMAN; JORGE DOMINICIS;
THOMAS PANGBURN; PAUL
FRANCISCO, RAYMOND HERR; and
CHRISTINA KAUPP,

Defendants.

Case No.: 4:21-cv-02409-PJH

NOTICE OF UNAVAILABILITY

Action Filed: April 2, 2021
Judge: Hon. Phyllis J. Hamilton
Ct: 3 – 3rd Floor

4:21-cv-02409-PJH

NOTICE OF UNAVAILABILITY

**TO THE COURT AND TO ALL PARTIES AND THEIR COUNSEL OF
RECORD HEREIN:**

PLEASE TAKE NOTICE that commencing on March 16, 2022 through and including March 25, 2022; April 4, 2022 through and including April 15, 2022; August 15, 2022 through and including September 3, 2022; September 28, 2022 through and including September 30, 2022; December 15, 2022 through and including December 30, 2022, Peter G. Bertling, attorney of record for defendants, WELLPATH, KIP HALLMAN, JORGE DOMINICIS, THOMAS PANGBURN, PAUL FRANCISCO RAYMOND HERR, and CHRISTINA KAUPP will be unavailable for any purpose whatsoever.

Such unavailability includes, but is not limited to, responding to telephone calls, receiving notices of any kind, responding to ex parte applications, motions, and/or other requests, appearing in Court, or attending depositions. This notice is given pursuant to *Tenderloin Housing Clinic, Inc. v. Sparks*, 8 Cal.App.4th 299 (1992), and subsequent authority, which restricts the conduct of any attorney who purposely attempts to schedule a conflicting proceeding without good cause and which fails to respect the legitimate interests of fellow members of the bar. In case of emergencies only, a staff member may be reached at (805) 879-7558.

Dated: December 23, 2021

Respectfully submitted,
BERTLING LAW GROUP

/s/ Peter G. Bertling
Peter G. Bertling
Attorney for Defendants
WELLPATH, KIP HALLMAN, JORGE
DOMINICIS, THOMAS PANGBURN,
PAUL FRANCISCO, RAYMOND HERR,
and CHRISTINA KAUPP